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17 **UNITED STATES DISTRICT COURT**

18 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

20 CISCO SYSTEMS, INC.,

21 Plaintiff,

22 vs.

23 ARISTA NETWORKS, INC.,

24 Defendant.

25 CASE NO. 5:14-cv-5344-BLF (PSG)

26 **DECLARATION OF KEVIN JEFFAY IN
 27 SUPPORT OF CISCO'S OPPOSITION TO
 28 ARISTA'S MOTION FOR PARTIAL
 SUMMARY JUDGMENT**

1 I, Kevin Jeffay, declare as follows:

2 1. I am a tenured professor in the Department of Computer Science at the University
3 of North Carolina at Chapel Hill where I currently hold the position of Gillian T. Cell
4 Distinguished Professor of Computer Science. I also currently serve as the Chairman of the
5 Department. I have a Ph.D. in computer science from the University of Washington, a M.Sc.
6 degree in computer science from the University of Toronto, and a B.S. degree with Highest
7 Distinction in mathematics from the University of Illinois at Urbana-Champaign. I have been
8 involved in the research and development of computing systems for over 30 years. I have been a
9 faculty member at the University of North Carolina since 1989 where I perform research and I
10 teach in the areas of computer networks, real-time systems, operating systems, multimedia
11 networking, and network performance evaluation, among others. A major theme of my research
12 has been aspects of router design and the measurement and analysis of traffic patterns and traffic
13 performance in communications networks. My research has also examined network support for
14 multimedia applications. In my research I regularly use network switches and routers to construct
15 and instrument experimental and production networks.

16 2. I submit this declaration in support of Plaintiff Cisco Systems, Inc.'s ("Cisco")
17 Opposition to Arista's Motion for Partial Summary Judgment. I make this declaration based on
18 my own personal knowledge. If called as a witness, I could and would testify competently to the
19 matters set forth herein.

20 3. I have been retained to provide my opinions on issues related to, *inter alia*, patent
21 infringement and validity of U.S. Patent No. 7,047,526 ("the '526 patent").

22 4. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt from the
23 opening expert report ("Jeffay Opening Report") I prepared in this action, which was signed on
24 June 3, 2016 and is a true and correct expression of certain of my opinions related to infringement
25 of the '526 patent based on the facts I currently know. The Jeffay Opening Report also provides a
26 more detailed description of my qualifications and experience, including a CV which is attached
27 thereto.

1 5. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt of the rebuttal
2 expert report (“Jeffay Rebuttal Report”) I prepared in this action, which was signed on June 17,
3 2016 and is a true and correct expression of certain of my opinions related to claim construction
4 and the validity of the ’526 patent based on the facts I currently know. In the Jeffay Rebuttal
5 Report, I set forth certain opinions related to the Court’s claim construction order as they relate to
6 the Jeffay Opening Report since the Court’s claim construction order was not available when I
7 submitted the Jeffay Opening Report.

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9 I declare under penalty of perjury that the foregoing is true and correct, and that this
10 declaration was executed in Chapel Hill, NC, on July 14, 2016.

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Kevin Jeffay

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DECLARATION OF KEVIN JEFFAY IN SUPPORT
OF CISCO’S OPP. TO ARISTA’S MOTION FOR PARTIAL SUMMARY JUDGMENT
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